

## REMARKS

### Election of Species Requirement

The Election of Species Requirement that was mailed on May 21, 2004, has been received and reviewed.

The Examiner states that the Applicants are required to elect a single disclosed species based on the composition of the propellant and the insensitive munitions charge. Office Action of May 21, 2004, p. 2. The Examiner has not specifically identified the species and only states that the species are disclosed in the specification at p. 13 and 17. *Id.*

Applicants hereby elect, without traverse, to prosecute the invention in which the propellant includes ammonium perchlorate, aluminum, and hydroxyl terminated polybutadiene and in which the insensitive munitions charge is a dihydroxyglyoxime propellant.

Claims 1-17, 33, 34, 36, and 38 read thereon. Further, it is submitted that claim 1 is generic to the elected species based on the composition of the propellant and the insensitive munitions charge.

The Examiner also states that the Applicants must elect each component and amounts of the components for both of the charges. *Id.* In a *bona fide* attempt to advance the application to final action, Applicants note that the amounts of the components are not disclosed in the specification are immaterial to the present invention and are well within the abilities of one of ordinary skill in the art to select. Therefore, Applicants can not comply with the Examiner's requirement to elect amounts of each of the components. Reconsideration is respectfully requested.

### Previously Submitted Information Disclosure Statement

Please note that Information Disclosure Statements were filed in the above-referenced application on August 21, 2003, and March 1, 2004, but that an initialed copy of the Forms PTO-1449 or PTO/SB/08 that accompanied the Information Disclosure Statements have not yet been returned to the undersigned attorney. It is respectfully requested that the information cited in the Information Disclosure Statements and listed on the Forms PTO-1449 or PTO/SB/08 be considered and made of record in the above-referenced application and that an initialed copy of

the Forms PTO-1449 or PTO/SB/08 evidencing such consideration be returned to the undersigned attorney.

**Preliminary Amendment**

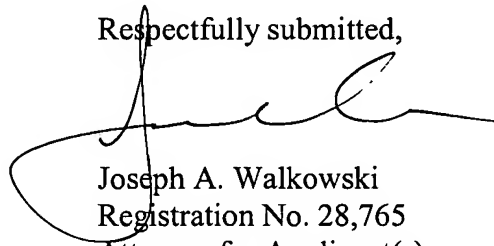
Applicants' undersigned attorney notes the filing herein of a Preliminary Amendment on December 8, 2003, which filing was not acknowledged in the outstanding Office Action. Should the Preliminary Amendment have failed for some reason to have been entered in the Office file, Applicants' undersigned attorney will be happy to have a true copy thereof hand-delivered to the Examiner.

In view of the foregoing, it is respectfully requested that each of claims 1-17, 33, 34, 36, and 38 be considered on the merits.

**CONCLUSION**

An early Office Action on the merits is respectfully solicited.

Respectfully submitted,



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